

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DataTern, Inc.,

Plaintiff,

v.

Abbott Laboratories, et al.

Defendants.

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Civil Action No. 2:11-cv-00203

**JURY TRIAL DEMANDED**


**ORDER OF DISMISSAL WITH PREJUDICE**

In consideration of the Joint Motion for Dismissal (Doc. No. 127) of all claims with prejudice and all counterclaims as moot asserted between Plaintiff DataTern, Inc. and Defendant Harley-Davidson, Inc., the Joint Motion for Dismissal is GRANTED, and it is ORDERED, ADJUDGED, AND DECREED that all claims asserted in this suit between Plaintiff and Defendant are hereby dismissed with prejudice and all counterclaims are dismissed as moot, subject to the terms of that certain agreement entitled "SETTLEMENT AGREEMENT", entered into and effective June 11, 2012.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

**It is SO ORDERED.**

**SIGNED this 20th day of June, 2012.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE